

REMARKS

Claim 28 is pending in this application. Attached hereto is a complete listing of all the pending claims, with their current status listed parenthetically. Claims 1-27 and 29-34 have been cancelled without prejudice to later prosecution.

Drawings

In the Office Action, the Examiner objects to FIG. 16 because the figure "does not contain adequate description of the elements drawn so that one ordinarily skilled in the art who is browsing through the drawings would be able to understand the invention." The Examiner requests that each numbered element box also contain labels.

In response, Applicant submits replacement FIG. 16, that now contains labels for each numbered element box. No new matter has been added, as the description of each numbered element box (*i.e.*, "labels") can be found on page 16, lines 9-23 and page 17, lines 1-4, of the originally-filed specification.

Rejection Under 35 U.S.C. § 112, 1st paragraph

In the 1st paragraph of the Office Action, the Examiner rejects claim 28 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Specifically, the Examiner states:

"In claim 28, lines 8-10, "the digital signal processor compares a signal level received by each of the two receivers, and selects a highest signal level for forwarding to the pulse level quantizer." In other words, the DSP selects a signal level from the receiver and forwards the higher signal to the pulse level quantizer; no mention is made of how the switch is enabled. However, the description of the selection made by the DSP as described in paragraph 78, lines 21-26 of the specification is as follows:

If the signal level from the pulse sequence energy estimator 600d exceeds the signal level from the pulse sequence energy estimator 610d, the DSP 660 will switch selector switch 640 so the signal from receiver section 600 will be routed to pulse level quantization block 650.

Here, the DSP selects a higher signal level from the receivers and instructs the switch to select a signal from the receiver."

The Examiner's last line is somewhat accurate: "the DSP selects a higher signal level from the receivers and instructs the switch to select a signal from the receiver."

Claim 28 recites, in part: ". . .the digital signal processor compares a signal level received by each of the two receivers, and selects a highest signal level for forwarding to the pulse level quantizer."

A review of originally-filed FIG. 16, and the new replacement FIG. 16 (discussed in the originally-filed specification at page 16, lines 9-23 and page 17, lines 1-4), shows receivers 600 and 610 **that each include a pulse sequence energy estimator 600d and 610d**. As noted by the Examiner, the originally-filed specification teaches that "[i]f the signal level from the pulse sequence energy estimator 600d exceeds the signal level from the pulse sequence energy estimator 610d, the DSP 660 will switch selector switch 640 so the signal from receiver section 600 will be routed to pulse level quantization block 650."

Thus, the receivers **include** pulse sequence energy estimators, which signal the DSP to switch. Therefore, claim 28 correctly describes the function of the pulse receiver, because the receivers do signal the DSP to switch. One skilled in the art, reviewing FIG. 16, and reading the specification, would be able to make and/or use the invention that comprises a receiver that uses amply described internal components to switch a DSP.

"As long as the specification discloses at least one method for making and using the claimed invention that bears a reasonable correlation to the entire scope of the claim, then the enablement requirement of 35 U.S.C. § 112 is satisfied." M.P.E.P. 2164.01(b).

In this case, the specification discloses pulse sequence energy estimators that are included in the receivers that signal the DSP to switch. Claim 28 recites receivers that signal the DSP to switch. One skilled in the art would certainly discern this arrangement of components.

"The amount of guidance or direction needed to enable the invention is inversely related to the amount of knowledge in the state of the art as well as the predictability in the art. . . . A single embodiment may provide broad enablement in cases involving predictable factors, such as mechanical or electrical elements." M.P.E.P. 2164.03. Applicant's invention is in the realm of the electrical arts, and thus is a case which involves predictable factors.

In view of the above discussion, Applicant submits that claim 28 is enabled, and thus respectfully requests the Examiner to reconsider and withdraw this rejection.


Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, issuance of claim 28 at an early date is solicited. No fee is believed due with this response. However, the Commissioner is authorized to charge any fee required to our Deposit Account No. 50-3143, in the name of Pulse-Link, Inc. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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Date



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